

REMARKS

Applicants request favorable reconsideration and allowance of this application in view of the foregoing amendments and the following remarks.

Claims 1-36 are pending in the present application, with Claims 1, 15, and 24 being the independent claims. Claims 15-23 have been withdrawn from consideration.

Claims 1 and 24 have been amended. Support for these amendments can be found in the original specification, and therefore no new matter has been added.

Claims 1-14 and 24-36 have been rejected under 35 U.S. C. 102(e) as being anticipated by U.S. Patent No. 6,122,403 (Rhoads). Claims 10 and 35 are rejected under Section 103(a) as being unpatentable over Rhoads in view of U.S. Patent No. 6,334,721 (Horigane). Applicants respectfully traverse these rejections for the reasons discussed below.

As recited in independent Claim 1, the present invention includes, *inter alia*, the feature of determining whether or not to perform a process for extracting digital watermark information from an image based on whether or not a registration signal is extracted in a first information extraction step. With this feature, the digital watermark extraction process can be omitted if no registration signal is extracted, and processing speed can be increased.

Applicants submit that the cited art fails to disclose or suggest at least the above-mentioned feature. Rhoads discloses that once a “candidate registration” signal is found, a reading process is performed to read a universal code signature consisting of a 44 bit identification code and a 20 bit hash code for the 44 bit identification code. Those bits indicate whether there is a registered image or not. Thus, a “candidate registration” signal in Rhoads is not a registration signal, but instead it is merely a candidate until the

subsequent reading of the universal signature code confirms whether a registration signal is present. Rhoads therefore does not determine whether or not to perform an extraction process based on whether a registration signal was extracted, but instead performs the extraction to confirm whether a registration signal is present.

Further, the information read by the extraction process in Rhoads is not a digital watermark, but instead is a universal code signature that indicates whether the candidate registration signal is a true registration signal. Rhoads therefore does not disclose or suggest determining whether or not to perform a process for extracting a digital watermark based on whether or not a registration signal is extracted, because in Rhoads the extraction of the universal code signature always occurs once a candidate registration signal is found, to determine whether it is a true registration signal.

For the foregoing reasons, Applicants submit that Claim 1 is patentable over the art of record, whether that art is considered individually or taken in combination. Independent Claim 24 recites a similar feature and is believed patentable for reasons similar to Claim 1. The dependent claims are patentable for at least the same reasons as the independent claims, as well as for the additional features they recite.

In view of the foregoing, Applicants submit that this application is in condition for allowance. Favorable reconsideration, withdrawal of the outstanding rejections, and an early Notice of Allowance are requested.

Request for Personal Interview

Applicants believe that a personal interview will be beneficial in advancing prosecution of this application. Applicants undersigned representative will telephone the Examiner to schedule an interview. However, if the Examiner takes up this application for

action before an interview can be scheduled, it is requested that she contact Applicants' undersigned representative to schedule a personal interview.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our below-listed address.

Respectfully submitted,



Attorney for Applicants
Brian L. Klock
Registration No. 36,570

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200
BLK/lnj

DC_MAIN 246608v1